

MINUTES

MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: Chair Mark Blasdel, on February 2, 2011 at 9:00 A.M., in Room 152
Capitol

ROLL CALL

Members Present:

Rep. Mark Blasdel, Chairman (R)
Rep. Dick Barrett, Vice Chairman (D)
Rep. Mike Miller, Vice Chairman (R)
Rep. Steve Fitzpatrick (R)
Rep. Kelly Flynn (R)
Rep. Alan Hale (R)
Rep. Brian Hoven (R)
Rep. Austin Knudsen (R)
Rep. Steve Lavin (R)
Rep. Edith (Edie) McClafferty (D)
Rep. Mary McNally (D)
Rep. Jerry O'Neil (R)
Rep. Lee Randall (R)
Rep. Wayne Stahl (R)
Rep. Janna Taylor (R)
Rep. Kathleen Williams (D)
Rep. Max Yates (R)

Members Excused: None

Members Absent: Rep. Sue Malek (D)
Rep. Mike Phillips (D)

Staff Present: Lisa Adams, Committee Secretary
Jeff Martin, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: HB 325, 1/31/2011

Executive Action: HB 143; HB 165; HB 192; HB 217; HB 219; HB 224; HB 247

HEARING ON HB 325**Opening Statement by Sponsor:**

00:00:14 Rep. Keith Regier (R), HD 5, opened the hearing on HB 325, Eliminate class 8 business equipment property tax.

00:00:16 Rep. Phillips entered.

00:00:21 Rep. Malek entered.

Proponents' Testimony:

00:06:12 Jason Todhunter, Montana Logging Association

00:11:14 Cary Hegreberg, Executive Director, Montana Contractors' Association

00:13:38 Rep. Stahl left.

00:15:11 Pat Heffernan, Montana Wood Products Association

00:17:53 Aidan Myhre, Kalispell Chamber of Commerce

00:19:36 Nicole Rolf, Montana Farm Bureau Federation

00:21:25 Patrick Montalban, Northern Montana Oil and Gas Association

00:22:45 Rep. Stahl returned.

00:24:43 Daniel Cox, self

Opponents' Testimony:

00:26:40 Evan Barrett, Chief Business Officer, Governor's Office

00:33:16 Rep. Fitzpatrick left.

00:35:52 Diane Fladmo, Director of Research, Montana Education Association - Montana Federation of Teachers (MEA-MFT)

Informational Testimony:

00:37:28 Rocky Haralson, Regional Manager, Property Assessment Division, Department of Revenue (DOR)

00:38:03 Jim Standaert, Legislative Fiscal Division (LFD), Montana State Legislature

EXHIBIT(tah26a01)

00:38:10 Rep. Fitzpatrick returned.

Questions from Committee Members and Responses:

00:42:18 Rep. Phillips

00:42:47 Mr. Standaert, LFD

00:42:50 Rep. Phillips

00:42:56 Mr. Standaert

00:43:23 Rep. Hale

00:43:44 Mr. Standaert

00:43:51 Rep. Hale

00:43:56 Mr. Standaert

00:44:21 Rep. Malek

00:44:39 Ms. Rolf

00:44:43 Rep. Malek

00:45:03 Ms. Rolf

00:45:06 Rep. Malek

00:45:21 Ms. Rolf

00:46:04 Rep. Malek

00:46:21 Ms. Rolf
00:47:26 Rep. Malek
00:47:35 Ms. Rolf
00:48:54 Rep. Taylor
00:49:21 Mr. Standaert
00:49:42 Rep. Taylor
00:50:35 Mr. Standaert
00:50:47 Rep. Flynn
00:51:21 Mr. Standaert
00:51:58 Rep. Flynn
00:52:30 Mr. Standaert
00:52:56 Rep. McNally
00:53:23 Mr. Standaert
00:53:30 Rep. McNally
00:53:35 Mr. Standaert
00:53:41 Rep. Barrett
00:53:47 Mr. Haralson, DOR
00:53:53 Rep. Barrett
00:54:15 Mr. Haralson
00:54:59 Rep. Barrett
00:55:34 Mr. Haralson
00:55:38 Vice Chairman Miller
00:55:53 Mr. Standaert
00:56:47 Rep. Flynn
00:57:18 Mr. Standaert

Closing by Sponsor:

00:57:31 Rep. Regier

01:00:10 Chairman Blasdel

EXECUTIVE ACTION ON HB 165

01:16:48 Chairman Blasdel

01:16:59 Mr. Martin

01:17:21 **Motion:** Rep. Miller moved that **HB 165 DO PASS.**

01:17:24 **Motion:** Rep. Miller moved that **HB 165 BE AMENDED.**

EXHIBIT(tah26a02)

Discussion:

01:18:23 Rep. Stahl
01:18:33 Mr. Martin
01:18:38 Rep. Stahl
01:18:43 Mr. Martin
01:19:01 Rep. Stahl
01:19:32 Mr. Martin
01:21:00 Rep. Stahl

01:22:03 Rep. Taylor
 01:22:20 Mr. Standaert
 01:23:37 Rep. Barrett
 01:23:58 Rep. O'Neil
 01:24:13 Mr. Standaert
 01:24:43 Rep. Stahl
 01:25:17 Chairman Blasdel
 01:25:24 Vice Chair Miller

01:25:25 **Vote:** Motion to amend carried 14-5 by voice vote with Rep. Malek, Rep. McClafferty, Rep. O'Neil, Rep. Stahl and Rep. Yates voting no.

Discussion:

01:26:47 Rep. McClafferty
 01:26:56 Rep. Malek

01:27:00 **Motion/Vote:** Rep. Miller moved that **HB 165 DO PASS AS AMENDED**. Motion carried 12-7 by roll call vote with Rep. Barrett, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips, Rep. Williams and Rep. Yates voting no.

EXECUTIVE ACTION ON HB 143

01:28:00 **Motion:** Rep. Stahl moved that **HB 143 DO PASS**.

Discussion:

01:29:02 Rep. Stahl
 01:29:46 Rep. Phillips
 01:30:37 Rep. Stahl

01:31:00 **Vote:** Motion carried 11-8 by roll call vote with Rep. Barrett, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips, Rep. Taylor, Rep. Williams and Rep. Yates voting no.

EXECUTIVE ACTION ON HB 192

01:32:00 **Motion:** Rep. O'Neil moved that **HB 192 DO PASS**.

01:33:00 **Motion:** Rep. O'Neil moved that **HB 192 BE AMENDED**.
[**EXHIBIT\(tah26a03\)**](#)

Discussion:

01:34:27 Rep. O'Neil
 01:36:21 Rep. Barrett
 01:37:16 Vice Chairman Miller
 01:37:37 Mr. Martin

01:37:49 **Substitute Motion:** Rep. O'Neil made a substitute motion that **HB 192 BE CONCEPTUALLY AMENDED TO INCLUDE CORRECTION TO LINE 26 ON PAGE 2 TO CHANGE FROM \$50,000 TO \$35,000**.

Discussion:

01:38:41 Rep. Phillips
01:38:57 Chairman Blasdel
01:39:28 Rep. Phillips
01:39:32 Chairman Blasdel

01:40:00 **Vote:** Substitute motion carried unanimously by voice vote.

01:40:30 **Vote:** Original motion to amend carried unanimously by voice vote.

01:41:01 **Motion/Vote:** Rep. Blasdel moved that **HB 192 BE TABLED UNTIL A NEW FISCAL NOTE IS RECEIVED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 217

01:43:02 **Motion:** Rep. Miller moved that **HB 217 DO PASS**.

Discussion:

01:43:13 Vice Chairman Miller
01:43:26 Rep. Williams

01:44:50 **Vote:** Motion failed 4-15 by voice vote with Rep. Hale, Rep. Miller, Rep. Taylor and Rep. Yates voting aye.

01:45:00 **Motion/Vote:** Rep. Miller moved that **HB 217 BE TABLED AND THE VOTE REVERSED**. Motion carried unanimously by voice vote.

EXECUTIVE ACTION ON HB 219

01:46:24 **Motion:** Rep. Miller moved that **HB 219 DO PASS**.

01:47:11 **Motion/Vote:** Rep. Randall moved that **HB 219 BE AMENDED**. Motion carried unanimously by voice vote.

EXHIBIT(tah26a04)

Discussion:

01:47:24 Mr. Martin
01:48:15 Vice Chairman Miller
01:48:22 Mr. Martin
01:48:53 Rep. Barrett
01:50:54 Vice Chairman Miller
01:51:12 Mr. Martin
01:51:31 Rep. Malek
01:53:00 Rep. Williams

01:53:40 **Motion/Vote:** Rep. Blasdel moved that **HB 219 DO PASS AS AMENDED**. Motion carried 12-7 by roll call vote with Rep. Barrett, Rep. Hoven, Rep. Malek, Rep. McClafferty, Rep. McNally, Rep. Phillips and Rep. Williams voting no.

EXECUTIVE ACTION ON HB 224

01:55:28 **Motion:** Rep. Flynn moved that **HB 224 DO PASS.**

Discussion:

01:55:53 Rep. Malek
01:56:41 Vice Chairman Miller
01:57:07 Rep. Stahl
01:57:40 Rep. Barrett
01:58:06 Vice Chairman Miller
01:58:17 Rep. Hale
01:58:45 Rep. Williams

01:59:00 **Vote:** Motion carried 10-9 by roll call vote with Rep. Blasdel, Rep. Flynn, Rep. Knudsen, Rep. Lavin, Rep. Miller, Rep. O'Neil, Rep. Randall, Rep. Taylor and Rep. Yates voting no.

EXECUTIVE ACTION ON HB 247

02:00:15 **Motion:** Rep. Miller moved that **HB 247 DO PASS.**

Discussion:

02:00:44 Vice Chairman Miller
02:02:40 Rep. McNally
02:03:24 Rep. Phillips
02:03:52 Vice Chairman Miller

02:04:00 **Vote:** Motion failed 2-17 by roll call vote with Rep. Miller and Rep. Stahl voting aye.

02:04:30 **Motion/Vote:** Rep. Barrett moved that **HB 247 BE TABLED AND THE VOTE REVERSED.** Motion carried unanimously by voice vote.

ADJOURNMENT

02:06:49 Adjournment: 11:08 am

Lisa Adams, Secretary

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Additional Documents:

EXHIBIT([tah26aad.pdf](#))